

Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Comer et al.)
Serial No.: 09/699,312) Art Unit: 2683
Filing Date: October 27, 2000) Examiner: K. Ferguson
Title: Interconnect System and Method for)
Multiple Protocol Short Message Services)

**REQUEST TO ENTER PREVIOUSLY TRANSMITTED AMENDMENT
AND RESPONSE TO FIRST OFFICIAL ACTION OF OCTOBER 24, 2003
WHICH WAS RECEIVED BY THE PATENT OFFICE AND NOT MATCHED
WITH THE APPLICATION FILE**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner is respectfully requested to consider the attached Amendment and Response to First Official Action that was transmitted by first class mail to the Patent Office on October 24, 2003. The Applicants are also enclosing a copy of the postcard receipt ("Exhibit A") that evidences the timely submission of this Amendment and Response to First Official Action.

The Applicants verify and attest that the aforementioned documents were timely filed on October 24, 2003.

STATEMENT OF FACTS

The Applicants respectfully submit that the attached Amendment and Response to First Official Action was timely filed on October 24, 2003 as evidenced by the copy of the postcard receipt illustrating the date stamp of October 28, 2003 by the OIPE office.

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, Attention: Examiner Keith Ferguson, Facsimile No. (703) 746-5905, and being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 7, 2004.


Robert T. Neufeld, Reg. No. 48,394

Serial No.: 09/699,312

The Applicants respectfully submit that the undersigned was contacted by Examiner Ferguson on January 6, 2004 and informed that the Amendment and Response to First Official Action was not in the file.

PERSONAL KNOWLEDGE AND ATTESTING STATEMENT

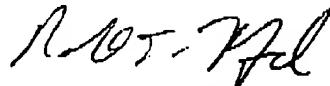
The undersigned attests on personal knowledge that the attached Amendment and Response to First Official Action was in fact transmitted to the Patent Office as evidenced by the postcard receipt ("Exhibit A"). If the Office requires additional evidence of this previous and timely transmission, the Applicants respectfully request the Examiner or appropriate official to contact the undersigned by telephone.

**REQUEST FOR ENTRY OF PREVIOUSLY SUBMITTED
AMENDMENT AND RESPONSE TO FIRST OFFICIAL ACTION
NOT MATCHED WITH APPLICATION**

The Applicants respectfully request that the attached Amendment and Response to First Official Action, and corresponding references be formally entered into the present application and that the Examiner consider this evidence that the Amendment and Response to First Official Action was timely filed on October 24, 2003.

Entry of the attached Amendment and Response to First Official Action are respectfully requested. If any other issues remaining in this application may be resolved by a telephone conference, the Examiner is respectfully requested to contact the undersigned at the following number in the Atlanta metropolitan area: (404) 572-3509.

Respectfully submitted,



Robert T. Neufeld
Reg. No. 48,394

King & Spalding LLP
191 Peachtree Street, N.E., 45th Floor
Atlanta, Georgia 30303-1763
404.572.4600
K&S Docket: 06931.105011
3384008

PATENTS

IN THE U.S. PATENT AND TRADEMARK OFFICE

Docket No. 06931.105011

In re application of:

Comer et al.

Serial No.: 09/699,312

Filed: October 27, 2000

Title: Interconnect System and Method for Multiple Protocol Short Message Services

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith are papers in the above-identified application.

Preliminary Amendment.

Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement.

A verified statement to establish small entity status under 37 C.F.R. §1.9 and §1.27 is enclosed.

No additional fee is required.

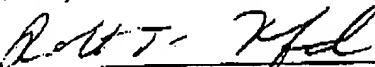
The additional fee is calculated as shown below:

| | | | | SMALL ENTITY | LARGE ENTITY | | |
|--|----|-----------------------------------|------------------|-------------------------|---------------|------|---------------|
| CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDIT. FEE | RATE | ADDIT. FEE |
| TOTAL | 27 | MINUS | 20 = | 7 | x9 | 63 | x18 \$ |
| INDEP. | 5 | MINUS | 3 = | 2 | x43 | 86 | x86 \$ |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS | | | | +145 | | +290 | \$ |
| | | | | TOTAL ADDITIONAL FEE | | | \$149 |

A check in the amount of \$ ____ is attached.

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16, or credit any overpayment to Account No. 11-0980. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 24, 2003.


Robert T. Neufeld, Reg. No. 48,394

KING & SPALDING LLP
45th Floor
191 Peachtree Street, N.E.
Atlanta, Georgia 30303
Telephone: 404.572.4600

By: 
Robert T. Neufeld, Reg. No. 48,394

KING & SPALDING LLP

191 Peachtree Street
Atlanta, Georgia 30303-1763
Telephone: 404/572-4600
Facsimile: 404/572-5100
www.kslaw.com

FAX TRANSMITTAL SHEET

January 7, 2004

TO: Examiner Keith Ferguson **Company:** USPTO
Fax #: (703) 746-5905 **City/State:** Alexandria, VA
Tel. #: (703) 305-1888

FROM: Robert T. Neufeld 5595 **Our Ref. #:** 06931.105011

NUMBER OF PAGES (including transmittal sheet): 22 **NA**

CONFIDENTIALITY NOTICE

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED FOR THE USE OF THE ADDRESSEE LISTED ABOVE. IF YOU ARE NEITHER THE INTENDED RECIPIENT NOR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THIS MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR THE TAKING OF ANY ACTION IN RELIANCE ON THE CONTENTS OF THIS TELECOPIED INFORMATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS TELECOPY IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE TO ARRANGE FOR RETURN OF THE ORIGINAL DOCUMENTS TO US.

If transmission problems occur or you are not the intended recipient, please call (404) 572-3513 immediately. Thank you.

Notes/Comments:

Applicant Comer et al.
Serial No. 09/699,312
Title Interconnect System and Method for Multiple Protocol Short Message Services
Papers Submitted: Request to Enter Previously Transmitted Amendment and Response to First Official Action of October 24, 2003 Which was Received by the Patent Office and Not Matched with the Application File; Petition for Extension of Time; Transmittal Form; Amendment and Response to First Official Action (16 Pages); Exhibit A; and Return Postcard